United States Department of Labor Employees' Compensation Appeals Board

J.A., Appellant)
and	Docket No. 21-0026 Issued: October 27, 2021
DEPARTMENT OF TRANSPORTATION, FEDERAL AVAIATION ADMINISTRATION, Miami, FL Employer)))
Appearances: Lisa Varughese, Esq., for the appellant ¹	Case Submitted on the Record

ORDER DISMISSING APPEAL

Office of Solicitor, for the Director

Before:

ALEC J. KOROMILAS, Chief Judge PATRICIA H. FITZGERALD, Alternate Judge VALERIE D. EVANS-HARRELL, Alternate Judge

On September 9, 2020 appellant filed a timely appeal from an April 15, 2020 nonmerit decision of the Office of Workers' Compensation Programs (OWCP). The Clerk of the Appellate Boards assigned Docket No. 20-1595.

On October 6, 2020 appellant, through counsel, filed a duplicate appeal from the same April 15, 2020 nonmerit decision. The Clerk of the Appellate Boards inadvertently assigned that appeal Docket No. 21-0026.

The Board has duly considered the matter and concludes that, since there are now two docket numbers assigned for a review of the same OWCP' decision, one of the docket numbers

¹ In all cases in which a representative has been authorized in a matter before the Board, no claim for a fee for legal or other service performed on appeal before the Board is valid unless approved by the Board. 20 C.F.R. § 501.9(e). No contract for a stipulated fee or on a contingent fee basis will be approved by the Board. *Id.* An attorney or representative's collection of a fee without the Board's approval may constitute a misdemeanor, subject to fine or imprisonment for up to one year or both. *Id.*; *see also* 18 U.S.C. § 292. Demands for payment of fees to a representative, prior to approval by the Board, may be reported to appropriate authorities for investigation.

must be dismissed. As the Clerk of the Appellate Boards inadvertently assigned Docket No. 21-0026 to appellant's second appeal request, this docket number shall be dismissed.² Accordingly,

IT IS HEREBY ORDERED THAT the appeal docketed as No. 21-0026 is dismissed.

Issued: October 27, 2021 Washington, DC

> Alec J. Koromilas, Chief Judge Employees' Compensation Appeals Board

> Patricia H. Fitzgerald, Alternate Judge Employees' Compensation Appeals Board

> Valerie D. Evans-Harrell, Alternate Judge Employees' Compensation Appeals Board

² On April 21, 2021 the Board issued a decision in Docket No. 20-1595 affirming OWCP's April 15, 2020 decision. *See* Docket No. 20-1595 (issued April 21, 2021).